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8 UNITED STATES DISTRICT COURT
9 FOR THE EASTERN DISTRICT OF CALIFORNIA
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11 KIRK PATRICK BROWN,
12 Petitioner,
13 v.
14 RON DAVIS,
15 Respondent.
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No. 2:16-cv-2588 AC P

ORDER

17 Petitioner, a state prisoner proceeding pro se, has filed an application for a writ of habeas
18 corpus pursuant to 28 U.S.C. § 2254, together with a request to proceed in forma pauperis. This
19 court will not rule on petitioner's request to proceed in forma pauperis.

20 Petitioner is presently incarcerated at San Quentin State Prison in Marin County. He is
21 serving a sentence for a conviction rendered by the Sacramento County Superior Court.

22 The general rule with regard to habeas applications is that both the United States District
23 Court in the district where petitioner was convicted and the District Court where petitioner is
24 incarcerated have jurisdiction over the claims. See Braden v. 30th Judicial Circuit Court, 410 U.S.
25 484 (1973). In the instant case, petitioner's parole hearing occurred at San Quentin State Prison in
26 an area covered by the District Court for the Northern District of California.

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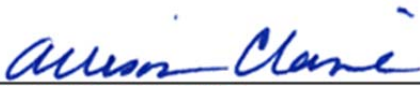
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1 Accordingly, in the furtherance of justice, IT IS HEREBY ORDERED that:

2 1. This court has not ruled on petitioner's application to proceed in forma pauperis; and

3 2. This matter is transferred to the United States District Court for the Northern District of
4 California. Id. at 499 n.15; 28 U.S.C. § 2241(d).

5 DATED: November 7, 2016

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7 ALLISON CLAIRE
8 UNITED STATES MAGISTRATE JUDGE
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